

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
COMMISSIONERS HEARING ROOM
FIRST FLOOR, COUNTY-CITY BUILDING
TUESDAY, JANUARY 26, 1999
1:30 P.M.

Commissioners Present: Larry Hudkins, Vice Chair
Bernie Heier
Linda Steinman
Bob Workman

Commissioners Absent: Kathy Campbell

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Diane Staab, Deputy County Attorney
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, January 19, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Heier moved and Steinman seconded approval of the minutes of January 19, 1999. On call Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 93 additions and deductions to the tax assessment rolls per Exhibit A. (1999133)

MOTION: Workman moved and Steinman seconded approval. On call Heier, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

BryanLGH Medical Center
Evangelical United Lutheran Church
First Evangelical Covenant Church
Goodwill Industries Serving Southeast Nebraska, Inc.
Martin Luther Homes of Nebraska, Inc.
Nebraska Annual Conference of the United Methodist Church
Nebraska Wesleyan University
People's City Mission
Saint Patrick's Church of Havelock
Sesostris Temple

MOTION: Steinman moved and Heier seconded approval of motor vehicle tax exemptions for Evangelical United Lutheran Church, First Evangelical Covenant Church, Goodwill Industries Serving Southeast Nebraska, Inc., Martin Luther Homes of Nebraska, Inc., Nebraska Annual Conference of the United Methodist Church, Nebraska Wesleyan University, People's City Mission, Saint Patrick's Church of Havelock and Sesostris Temple and approval of a motor vehicle tax exemption for BryanLGH Medical Center subject to the vehicle(s) being titled and registered to the applicant. On call Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

The Vice Chair recessed the Board of Equalization meeting until it was reconvened at 2:30 p.m.

4) NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY FOR THE FOLLOWING:

Robert W and Margaret J Dugas

The Assessor recommended a value be set at \$303,690 for Robert W and Margaret J Dugas.

MOTION: Steinman moved and Heier seconded to accept the Assessor's recommendation and the set the value at \$303,690 for Robert W and Margaret J Dugas. On call Hudkins, Steinman, Workman and Heier voted aye. Motion carried.

David W Hamilton

The Assessor recommended the value be set at \$72,000 for tax years 1997 and 1998.

MOTION: Steinman moved and Heier seconded to accept the Assessor's recommendation and set the value at \$72,000 for tax years 1997 and 1999 for David W Hamilton. On call Workman, Hudkins, Steinman and Heier voted aye. Motion carried.

5) ADJOURNMENT:

MOTION: Heier moved and Workman seconded adjournment. On call Steinman, Workman, Hudkins and Heier voted aye. Motion carried.

Gwen Thorpe
Deputy County Clerk

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COMMISSIONERS CHAMBERS
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Commissioners Present: Larry Hudkins, Vice Chair
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Others Present: Kerry Eagan, Chief Administrative Officer
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1) MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, January 19, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Steinman moved and Workman seconded approval of the minutes of January 19, 1999. On call Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

2) CLAIMS: Approval of all claims processed through Tuesday, January 26, 1999.

MOTION: Steinman moved and Workman seconded approval. On call Heier, Steinman, Hudkins and Workman voted aye. Motion carried.

3) ITEMS OF PUBLIC PARTICIPATION:

A. The Volunteer of the Month Award was presented to Lorraine Livingston for her services with the Lincoln Police Department. (19982921)

B. Progress Report on the Rural Enterprise Assistance Program - Troy Gagner, Economic Development Coordinator (1999139)

3) ITEMS OF PUBLIC PARTICIPATION:

Troy Gagner, Economic Development Coordinator, appeared and explained that the Rural Enterprise Assistance Program was begun by the Center of Rural Affairs in Walthill, Nebraska. He said that their funding source excluded the Center of Rural Affairs from working in Lancaster County because the City of Lincoln receives entitlements from Housing and Urban Development (HUD), however, a revolving loan fund is operated in Lancaster County with proceeds of grants from the Department of Economic Development. Those funds are used to assist expanding businesses which will create new jobs for low to moderate income individuals.

The Rural Enterprise Assistance Program (REAP), Gagner said, is a character based lending program where home-based businesses or small store front businesses may join a REAP association in their area. A loan loss reserve is then raised and is matched by county funds at a ten to one ratio. He further explained that the funds are placed in a bank and used to guarantee loans to those small businesses. He noted that the associations meet on a monthly basis and are provided with technical assistance.

Gagner distributed documentation pertaining REAP's progress (Exhibit A) and stated the program began in October of 1998.

He reported that the first two REAP associations, one in Hallam and the other in Bennet, are functioning and will begin raising the loan loss reserve. Gagner stated that upon raising the funds the County will match those monies from Community Development Block Grant (CDBG) funds.

It was also noted that REAP associations are planned for Raymond and Waverly.

In response to a question asked by Hudkins, Gagner stated that anyone who has an existing loan with the County may join a REAP association.

Workman asked Gagner to explain how the County gets involved financially.

3) ITEMS OF PUBLIC PARTICIPATION:

Gagner explained that the funds are CDBG monies and come from the Department of Housing and Urban Development and are administered by Department of Economic Development. He stated the County is paying for the administration of the program through a two year contract with the Center for Rural Affairs for \$39,000. The other portion that the County pays for is the loan loss reserve where it's matched on a ten to one ratio. Gagner explained that the monies stay in the bank and the businesses borrow against it. The only time monies would be taken out is if there were a loan default.

In response to a question asked by Workman, Gagner stated that Center for Rural Affairs is a non-profit organization with much of their funding coming from CDBG grant dollars through the Department of Economic Development.

Heier asked how the County is secured on the ten to one ratio.

Gagner responded that an agreement is made with a bank and the monies stay in a bank account. He said that the County is not very secure, however, they are small loans ranging from \$1,000 to a maximum of \$10,000.

Heier asked how a community which doesn't have a bank is served by the program.

Gagner stated there doesn't have to be a bank in a community in order for their participation. The community may join any association.

4) PUBLIC HEARINGS:

Comprehensive Plan Amendment Number 94-31, requested by the Interim Director of Planning, amending the 1994 Lincoln/Lancaster County Comprehensive Plan to amend the land use plan and add text regarding land use, infrastructure and resources for the "S1 and S2" sub-basins, contained within an area from approximately South 14th Street on the west to South 48th Street on the east; from one-half mile south of Pine Lake Road on the north to Saltillo Road on the south, consisting of 2,876.1 acres. (199919)

The Vice Chair opened the public hearing and asked if anyone wished to speak in favor of the amendment.

The Deputy County Clerk swore in Mike DeKalb, Planning Department.

DeKalb updated the Board and explained that the City Council had deferred the item for two weeks and suggested that the County Board defer and continue the public hearing for one week to February 2, 1999.

Kent Morgan, Planning Department, appeared and briefly discussed the following five proposed amendments to the 1998 Comprehensive Plan Annual Review:

- O Incorporate Urban Planning Zones
- O Expansion of future urban limits to S-1 and S-2
- O Southview/Ridge Development for the development of an area around Yankee Hill Road
- O Preparation of Wilderness Park Subarea Plan
- O Changes to the approved land use plan

After public hearing, Morgan stated, the City Council took the following action:

- O Approved the incorporation of the Urban Planning Zones
- O Approved the expansion into the S-1 and S-2 subareas
- O Approved incorporation of the N-1 and N-2 subareas into the Comprehensive Plan
- O Approved preparation of Wilderness Park Subarea Study

Nicole Fleck-Tooze, Planning Department, appeared to discuss the environmental elements in connection with the S-1 and S-2 basins including tree masses, soils, floodplains and wetlands and water bodies. She stated the subarea plans emphasize the importance of considering the soils in the area, preserving natural drainage ways, keeping buffers and natural vegetation along the corridors for water quality as well as water quantity.

Hudkins asked if the Planning Department has given consideration to relocating the two commercial requests away from the floodplain.

Fleck-Tooze stated the Planning Department has reviewed ways to balance types of land use needs with further refinement when the preliminary plat and special permit are brought forward.

Hudkins recessed the public hearing until Tuesday, February 2, 1999.

4) OLD BUSINESS:

A resolution requesting the State of Nebraska, Department of Roads to act on behalf of the County in obtaining federal funds for a road project, in the estimated amount of \$621,500, on North 141st Street. (199937)

Workman explained that bridges generally cost approximately \$300,000, however, additional monies were needed for work on the stream bed and support.

MOTION: Workman moved and Steinman seconded approval of Resolution 99-37. On call Steinman, Workman, Hudkins and Heier voted aye. Motion carried.

5) NEW BUSINESS:

A. An addendum to an agreement with the State of Nebraska Probation Administration for additional electronic monitoring of County preadjudicated juvenile defendants on home detention, for \$24,812.50, for a six month period, beginning January 1, 1999 and ending June 30, 1999. (1999137)

MOTION: Heier moved and Steinman seconded approval. On call Heier, Workman, Hudkins and Steinman voted aye. Motion carried.

B. A claim, for approximately \$4,000, filed by James P Cavanaugh for services rendered to Lancaster County in the course of representing Larry W Colson in his claim for Supplemental Social Security Income benefits. (1999138)

Kerry Eagan, Chief Administrative Officer, appeared and indicated the amount would not necessarily be \$4,000. It would be for 25 percent or \$4,000, whichever is less.

It was suggested that the County Board authorize the claim subject to receiving the correct dollar amount from Health and Human Services.

MOTION: Steinman moved and Heier seconded authorization of the claim subject to the correct dollar amount from the Department of Health and Human Services. On call Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

5) NEW BUSINESS CONTINUED:

C. A resolution setting penal sums of the officials bonds of the following Lancaster County offices: (1999142)

<u>Office</u>	<u>Amount</u>
County Attorney	\$ 5,000
Clerk of the District Court	\$25,000
Public Defender	\$ 5,000
County Clerk	\$10,000
County Treasurer	\$10,000
Register of Deeds	\$10,000
County Surveyor	\$ 5,000
County Assessor	\$ 5,000
County Sheriff	\$10,000
Commissioners	\$ 5,000

Diane Staab, Deputy County Attorney, stated that the County Engineer should be added to the list with the bond amount of \$5,000. She stated the bonds meet or exceed the requirements set forth by State Statute 11-119.

MOTION: Heier moved and Steinman seconded approval of Resolution 99-142 with the addition of the County Engineer, in the amount of \$5,000. On call Heier, Workman, Steinman and Hudkins voted aye. Motion carried.

D. A political subdivision tort claim filed by Ernest Hill against the Community Mental Health Center for damage to personal property, in the amount of \$55. (1999140)

MOTION: Steinman moved and Heier seconded to accept the Director's recommendation and deny the claim filed by Ernest Hill. On call Steinman, Hudkins, Heier and Workman voted aye. Motion carried.

6) CONSENT ITEMS: These are items of business before the Lancaster County Board of Commissioners which have been previously supplied to each Commissioner in writing, which are relatively routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. A grant contract with the Friendship Home, in the amount of \$3,403, in connection with the Hotel/Motel Project providing emergency food and lodging for victims of domestic abuse. (1999141)

6) CONSENT ITEMS CONTINUED:

B. Maintenance agreements with the following:

<u>Agency</u>	<u>Vendor</u>	<u>Amount</u>
Corrections (1999130)	D & E Technical Service	\$168
Corrections (1999143)	Simplex Time Recorder	\$6,398
Clerk of the District Court (1999131)	Alternative Business Systems	\$660
County Clerk (1999132)	Microfilm Imaging Systems	\$890

C. Contracts relating to road improvements with the following:

<u>Landowner</u>	<u>Location</u>	<u>Amount</u>
Dewey D and Carol A Cook (3 contracts) (1999123-1999125)	On West Fletcher Avenue near Northwest 123 rd Street	\$4,896.75
Leon D and Kathleen Lostroh (2 contracts) (1999122-1999121)	On West Fletcher Avenue near Northwest 120 th Street	\$1,156.43
Scott T and Danis R Willet (2 contracts) (1999126-1999127)	On West Fletcher Avenue near Northwest 126 th Street	\$2,095.40

MOTION: Steinman moved and Workman seconded approval of the Consent Items. On call Workman, Hudkins, Steinman and Heier voted aye. Motion carried.

8) ADJOURNMENT:

MOTION: Steinman moved and Heier seconded adjournment
call Hudkins, Workman, Heier and Steinman voted
aye. Motion carried.

Gwen Thorpe
Deputy County Clerk